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Newark Central Planning Board

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NEWARK CENTRAL PLANNING BOARD

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I. Establishment of the Central Planning Board

The Central Planning Board was organized on August 2, 1943, under the old "Commission Form of Government" to co-ordinate the post-war plans of the various city departments; arrest population decline; stabilize property values; provide urgently needed new public facilities; catch up on deferred maintenance; and provide replacement of worn out plants.

The Central Planning Board was reorganized on January 1, 1955 pursuant to the 1954 charter change from the Commission form of government to the present Mayor-Council form of government.

II. Municipal Enabling Legislation

In 1953, the Municipal Planning Act was adopted by the State of New Jersey. This act established the requisite enabling legislation which afforded municipalities desiring the advantages of its provisions the opportunity to enact comprehensive regulatory standards which would facilitate sound and orderly future municipal growth along preconceived lines; - in short planned community growth

On January 14, 1975 the Senate and General Assembly of the State of New Jersey enacted new municipal enabling legislation effective August, 1976. This new legislation known as the Municipal Land Use Law, Chapter 291, Laws of New Jersey 1975, revised the New Jersey Planning and Zoning Laws. This new law strengthens home rule and expands municipal powers in the broad spectrum of local zoning and planning administration and operation. It also provided four important land use objectives:

1. Update and coordinate the regulation of a community's land use.

2. Codify the Municipal powers affecting planning, zoning, subdivision and site plan review and other land use controls into a single statute.
3. Streamline the administration of land use regulations.
4. Strengthen the role of municipal planning to insure the efficient and proper use of land and to adequately protect the environment within the municipality.

III. Purpose of the Central Planning Board

The present purpose of the Newark Central Planning Board is to guide and promote a coordinated, comprehensive and harmonious development of the City and its environs which will in accordance with present and future needs, best promote order, convenience, prosperity, education and protect the general welfare. It is also the intent of the planning board to promote efficiency in the process of development and in the expenditure of public funds.

Specifically, it is the purpose of the Central Planning Board to act as a central body and reviewing board for all plans and projects that may directly or indirectly benefit and/or affect the city.

On occasion, the Board may undertake and conduct comprehensive studies and surveys to ascertain the physical and social needs of the City. In addition, federal, state, county and municipal plans may be evaluated to determine their purpose, the nature of their financing and the extent to which sufficient funds would be available to develop the complete project.

IV. Organization and Membership

The Central Planning Board consists of nine (9) members who are appointed by the Mayor. These appointments do not require confirmation by the Municipal Council.

Membership of the Central Planning Board is divided into 4 classes:

Class I. Mayor, Ex-Officio

Class II. One of the Officios of the Municipality appointed by the Mayor.

Class III. A member of the Municipal Council, appointed by the Municipal Council.

Class IV. Six (6) additional members of the Municipality to be appointed by the Mayor.

Class I, II, & III members of the Central Planning Board serve without receiving compensation. The Class IV members under the New Municipal Land Use Law receive a minor compensation. The term of the Mayor shall correspond to his official tenure, the Class II & III members are appointed for 1 year terms that terminate at the completion of their terms of office and the Class IV members are appointed for a 4 year term.

All members appointed to the Central Planning Board must be residents of the City of Newark.

A Chairman and Vice-Chairman are elected the first of each year at the Board's annual reorganization meeting from amongst the Class IV membership only.

The Planning Board meets the 2nd and 4th Monday of each month unless cancelled for lack of applications to discuss. The Board may call special and/or emergency meetings during other times of the month.

V. Meetings

All meetings are open to the general public and are held beginning with a 6:00 P.M. public meeting in the Board Conference Room (Rm 101-B) followed by the Agenda meeting in Room B-21 at 7:00 P.M.

Five members constitute a quorum, which is mandatory pursuant to holding a meeting.

The Planning Board has a standing Agenda which consist of the following:

- I. Roll Call
- II. Approval of Minutes
- III. Reading of Correspondence
- IV. Committee Reports
- V. Special Items
- VI. Old Business
- VII. New Business
- VIII. Adjournment

No Planning Board member is permitted to act on any matter in which he or she has either a direct or indirect personal or financial interest. Any member may, after a public hearing, be removed for inefficiency, neglect of duty, or malfeasance in office by the officer or body that appointed him.

VI. Statutory Function of the Planning Board

A. Subdivision - Minor or Major

Pursuant to the Municipal Subdivision Ordinance it is the responsibility of the Central Planning Board to oversee the division of a lot, tract or parcel of land into two or more lots, tracts or parcels of land

for sale or development. The distinction between minor and major subdivisions is made by the size of the parcel to be subdivided.

B. *Street Vacation

A Street Vacation is a municipal governmental process whereby a street or any portion thereof is legally turned over to a property owner for purposes of development, easement, right of way, encroachment, etc.

C. Site Plan Review

Site Plan Review is the process whereby a developer submits to the Central Planning Board, maps indicating the existing land use and the proposed land uses showing lot lines, elevations, parking, etc.

D. C Variances

In accordance with the Municipal Land Use Law the planning board may grant a variance (a departure from the literal requirements of a zoning ordinance) relating to lot area, lot dimensions, set back and yard requirements, if it is in conjunction with a subdivision.

All other variances are granted by the Zoning Board of Adjustment.

E. Conditional Use Permits

A Conditional Use is a use permitted within certain districts with certain controls or restrictions. The purpose of conditional use is to allow certain necessary businesses to locate in an area where they may not always be a compatible use. The conditions placed on them are to insure that they will fit into the area with relatively few problems. For example, a drive in

restaurant in a 4th Residential District may be allowed with restrictions on size, parking, architecture, etc.

F. * Zoning Amendments

A Zoning Amendment is a change in the zoning ordinance which is concerned primarily with designating districts in a manner which will protect the welfare of the entire community.

G. * Blight Determinations

A decision that authorizes a municipality to determine that areas are blighted, and to undertake the clearance and replanning of such areas.

H. Urban Renewal Plan

The Urban Renewal Plan is the redevelopment plan for a portion of the City of Newark administered by the Newark Housing Authority. This plan will provide for the rehabilitation of areas which have been declared blighted.

I. Master Plan

A comprehensive development plan of the City of Newark. It consists of one or more mapped and written proposals recommending the physical development of the municipality. A Master Plan is comprised of a land use element and a circulation element.

J. Official Map

A map adopted by the governing body of the municipality showing the location and width of streets and drainage rights of way, and the location and extent of public parks and playgrounds, whether existing or proposed.

VII. Zoning & Planning

Zoning is the separation of a municipality into districts, and the regulation of buildings and structures in districts in accordance with the extent of their use. Planning is a systematic development promoting the common interest of the municipality, particularly with relation to its future physical growth, progress and needs. It is the mandate of the Central Planning Board under the Municipal Land Use Law to use its technical planning expertise to insure zoning regulations that meet the needs of the City of Newark.

VIII. Relationship With Other Agencies

A. The Newark Development and Housing Authority

The Newark Development and Housing Authority is the slum clearance, development and redevelopment agency of the City. All planning for such development and redevelopment requires official review and approvals by the Central Planning Board. As a consequence, a close working relationship exists between these two agencies particularly since virtually every Planning Board meeting carries on its agenda several items relating to Newark Redevelopment and Housing Authority requires Board approval. Typical examples of such items are: Urban Renewal Plan Amendments; Street Vacations; Site Plan approvals and Zoning Changes.

B. The Newark Economic Development Corporation

The Newark Economic Development Corporation is a private, non-profit corporation set up by the Business Community and the City Government. It is the official developer

* NOTE:

Recommendation from the Planning Board to the Municipal Council who must grant final decision.

of the Industrial River Urban Renewal Project and maintains a seat on the City of Newark's Real Estate Commission. A developer working on any industrial or commercial project, whether with Housing Authority land in the industrial meadowlands or City owned property of building upon privately-owned property, can be assisted by the Corporation staff in matters concerned financing, real property taxation, site selection and the various approvals required by governmental boards or departments.

- C. The Mayor's Policy and Development Office is the Planning Agency of the City of Newark. The Agency is also responsible for the research and development of planning objectives for the City. Additionally, the Agency has the responsibility to research and recommend to the Central Planning Board zoning changes and changes in the City's Master Plan. The Division of Review and Planning of the Mayor's Policy and Development Office is the direct staff liaison to the Central Planning Board. The City Planning Officer, who is the head of the Division of Review and Planning, serves as the primary staff person for all planning-related materials that come before the Central Planning Board for consideration. All development applications are reviewed by the staff of the Division of Review and Planning and specific recommendations are made to the Central Planning Board on

every application that appears before them. These applications include urban renewal plan amendments, street vacations, site plan approvals zoning changes, conditional use, etc.

Consistent with Central Planning Board policy, no development applications are considered until they have been reviewed, recommended and initiated by the City Planning Officer.

